

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

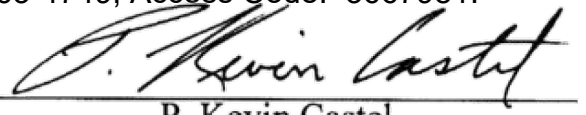
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October 13, 2023

VIA ECF

Honorable P. Kevin Castel
District Court Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Time to answer for all defendants extended to November 27, 2023. November 6 conference is adjourned to December 11, 2023 at 10:30 a.m. Call-in information is:
Dial-In No.: 1-888-363-4749, Access Code: 3667981.
SO ORDERED.
Dated: 10/19/2023


P. Kevin Castel
United States District Judge

Re: *Josue G. Torres v. City of New York et al.*, 23-CV-04258 (PKC)

Your Honor:

I am a Senior Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and attorney for defendant City of New York ("City") in the above referenced matter. In that capacity, I write to respectfully request a 45 day enlargement of time, from October 13, 2023 to November 27, 2023, for the City to answer or to otherwise respond to the complaint and for the Court to, *sua sponte*, grant the same enlargement of time for the individually named defendants, including Keechant L. Sewell, Amy J. Litwin, Lauren Silverstein, Christine M McGrath, Denis O'Hanlon, Barry Driscoll, James Wilson, and Elvis Cornea so as not to jeopardize their defenses while representation issues are being resolved. To the extent the Court is inclined to grant the within request, defendant City also respectfully requests an adjournment of the November 6, 2023 Initial Conference to 14 days after the answer would be due, such as December 21, 2023. This is defendant City's third request for an enlargement and Plaintiff's counsel, Eric Sanders, consents to this request.

As an initial matter, the undersigned sincerely apologizes to the Court for the delay. The reason for the instant request is that, due to a miscommunication between the parties, Defendants did not receive the \$ 160.50 release from Plaintiff until today. Following the previous extension request, which was granted, ECF No. 18, the undersigned communicated with Plaintiff's counsel to ensure that Plaintiff acknowledged receipt of the requested release and requested to know when said release would be provided. However, due to other pressing matters and being out of the office sick recently, the undersigned inadvertently failed to follow up with Plaintiff's counsel to obtain the \$160.50 release. Further, when the undersigned followed up with Plaintiff's counsel

yesterday, the undersigned was advised that Plaintiff previously sent Defendants' the § 160.50 release, however, Defendants have no record of receiving it. As Your Honor is aware, the § 160.50 release is needed to access any relevant sealed documents to investigate the allegations set forth in the complaint because Plaintiff alleges that the charges against him for his second arrest were dismissed.

Accordingly, Defendants respectfully request that (1) all defendants' time to respond to the complaint be extended until November 27, 2023 and (2) the November 6, 2023 Initial conference be adjourned until approximately December 21, 2023.

I thank the Court for its time and consideration of the within request.

Respectfully submitted,

Thomas Lai s/

Thomas Lai

Senior Counsel

Special Federal Litigation Division

To: **VIA ECF**
Eric Sanders
Attorney for Plaintiff